उपसभापति : आप लिखकर तो लगेमेंशन देंगे । आप जरूर बोलेंगे, आपको कोई मना नहीं

श्री भूपेन्द्र सिंह मान : मैंने सोशल मेंशन दिया था, लेकिन मुझे टाइम नहीं मिला है । इसलिए जीरो आवर में रेज कर रहा हूं ।

उपसभापति : आप पहले लिखकर तो दीजिए । आप तो पहले से ही शर्तें लगा रहे हैं ।

श्री विश्वजित पृथ्वीजित सिंह : पंजाब में शांति है, ये शांति को भंग करना चाहते हैं ... (**व्यवधान**)

श्री अनन्तराय देवशंकर दवे (गुजरात) : आप यहां तो शांति रखिए ।

THE DEPUTY CHAIRMAN: That matter is closed. Mr. Mann, you give in writing. We will permit you. Now, Mr. M. A. Baby. Mr. Baby, one thing I must tell you. It is a matter which is very sensitive. It is a matter which concerns the Election Commission. Now, whatever you are saying, it should not be beyond certain limitation and within that, the Chairman has permitted you. I hope that you would abide by it.

SPECIAL MENTIONS

INDICTMENT BY THE ELECTION COMMISSION OF THE GOVERNMENT OF TRIPURA AND SENIOR OFFICIALS FOR VIOLATION OF ELECTION RULES.

SHRI M. A. BABY (Kerala): Madam, your statement that it should not be beyond certain limits, is very much applicable in this particular caes because the effort to subvert the electoral process has gone beyond all limits in the State of Tripura and none other than the present Chief Election Commissioner, who is, of course, accused of being a friend of the ruling party by some—again he has been accused of being a friend of our hon. colleague, Mr. Subramanian Swamy; he is also accused of being very upright; but he has not been accused of being friendly towards the Left Front or the CPI(M) — such an officer has issued an order dated 27th February, 1993, where on page 5, it is stated: "On 5th February, 1993, there was a meeting with Shri Santosh Mohan Dev. After a public meeting, he left for circuit house, Dharam Nagar, where party members and Congress (I) candidates were present." Here, I would like to state that the conspiracy to rig the election at Tripura was not for the Congress as such generally. (*Interruptions*).

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS WITH ADDITIONAL CHARGE OF THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA): Which is this report that he is reading? I would like to know this from him.

SHRI M. A. BABY: I am reading from the order of the Chief Election Commissioner, Mr. T. N. Seshan, and this has been released to the press. This is public property. This was reported in the press on 27th February, 1993. Madam, these conspiracies and these efforts alleged to have been undertaken by one Minister of State from the Centre as well as senior bureaucrats in the State of Tripura, were not only directed against the Left Front, but directed against one section of the ruling party in the State and the Centre, namely Congress. (*Interruptions*).

SHRI V. NARAYANASAMY (Pondicherry): Let him refer to the findings of the enquiry officer who conducted the enquiry. (*Interruptions*).

SHRI M. A. BABY: Madam, in the order of the Chief Election Commissioner ... (**Interruptions**).

SHRIMATI MARGARET ALVA: I have got a copy of the Chief Election Commissioner's report with me.

SHRI M. A. BABY: I do have a copy with me. It is stated therein that on the 5th, there was a meeting with the Minister of State from the Centre of many important senior bureaucrats both of police and civil service. Again, I quote from the report. "On 6th February, 1993, the present Chief Minister, Shri Santosh Mohan Dev, the Minister of State from the Centre, the SP, the ASP, the SDPO, Sonamura, the police officer incharge of Melakhar..." then many other police officers... (*Interruptions*)...

SHRIMATI MARGARET ALVA: Does he have the right of reply?

THE DEPUTY CHAIRMAN: He will have the right of reply... (*Interruption*)... You are taking Santosh Mohan Dev's name. We will give him a chance to reply... (*Interruptions*)...

SHRI M. A. BABY: Madam, the Chief Election Commissioner has taken the name of Mr. Santosh Mohan Dev.. (*Interruption*)... And I made this reference because he may come and reply. ... (*Interruptions*)... And we expect the hon. Minister to come to our House and make his personal explanation.

THE DEPUTY CHAIRMAN: That is exactly what I am saying.

SHRI M. A. BABY: Madam, again on 7th February a similar meeting was held and all this has been referred to by Shri T. N. Seshan in his order dated February 27 and he has demanded of the State Government of Tripura to take firm action against these erring senior officers and he has categorically demanded that all these senior officers should be removed from this responsibility related to the electoral process. And he has given a deadline also. Madam, again the Chief Election Commissioner has issued another order yesterday, the 1st March... (*Interruptions*)...

SHRIMATI MARGARET ALVA: Madam, we are not having a full discussion. For having a full discussion he should move a motion... (*Interruptions*)...

SHRI DIPEN GHOSH (West Bengal): Whom is she supporting—T.N. Seshan or Santosh Dev or Samir Ranjan Burman or... (*Interruptions*)...

SHRIMATI MARGARET ALVA: Madam, you can't have a one-sided statement... (*Interruptions*)... This is a one-sided statement and you don't have the other ssire heard... (*Interrup-*

SHRI V. NARAYANASAMY: Madam, we are not having a full discussion on the matter.

SHRI VISHVJIT P. SINGH (Maharashtra): Madam, Special Mention should not be converted into a debate.

SHRI M. A. BABY: Madam, Mr. T. N. Seshan has issued another order. ... (*Interruption*)...

SHRI VISHVJIT P. SINGH: I am on a point of order. Madam, you yourself have stated... (*Interruptions*)...

SHRI MD. SALIM (West Bengal): No point of order. Let him complete. (*Interruptions*)...

SHRI VISHVJIT P. SINGH: Madam, you yourself have ruled on many an occasion that there should be a time-frame for Special Mentions and it has been the convention of this House ... (*Interruption*).

SHRI M. A. BABY: It is a very special Special Mention. (*Interruptions*).

SHRI YASHWANT SINHA (Bihar): Madam, you should also give a ruling that he should not be interrupted by a Minister. This is a strange practice that we are noticing in this House, that Ministers are getting up and interrupting a Member (*Interruptions*)

SHRI M. A. BABY: Madam, my time is beiny taken. (*Interruptions*) Madam, my time is taken up by hasty interventions... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Please take your seats... (*Interruptions*) .. down. Mr. Baby....

SHRI M. A. BABY: I am concluding. Madam, I am concluding. I am concluding. The order issued by the Chief Election Commissioner yesterday states, "All such contaminated officers must be removed forthwith from all and any work connected with election duties under intimation to the Commission."... (*Interruptions*)...Madam, I am quoting from the order of the Chief Election Commissioner Mr. T. N. Seshan. Now the point is, the Chief Election Commissioner speaks about the contaminated officers. What about the contaminated Ministers? This is what we would like to ask. Madam, this particular Minister. ...(*Interruption*)...

SHRI S. S. AHLUWALIA (Bihar): I am on a point of information.

SHRI M. A. BABY: Madam, this particular Minister....

SHRI S. S. AHLUWALIA: On a point of information.

SHRI M. A. BABY: No, I am not yielding. I am not yielding. I am not yielding.

SHRI S. S. AHLUWALIA: On a point of information. Madam, he is reading it out from a ruling given by Mr. T. N. Seshan. He is mentioning a word 'contaminated officers'.....

SHRI M. A. BABY: This is from... (*Interruptions*)...

SHRI S. S. AHLUWALIA: No, no. The point is whether he has mentioned the same remark against the Minister. I want to know that.

THE DEPUTY CHAIRMAN: Who?

SHRI S. S. AHLUWALIA: Chief Election Commissioner.

THE DEPUTY CHAIRMAN: The Chief Election Commissioner mentioned about the...(*Interruptions*)...

SHRI S. S. AHLUWALIA: If he has not mentioned, then why is he mentioning that?

SHRI M. A. BABY: Madam, I don't want to protect senior officers but... (*Interruptions*)...Senior officers won't commit such abhorrent offences unless they are provided with political protection. This is a well-known matter. Everybody knows it...(*Interruptions*)...

SHRI S. S. AHLUWALIA: This is not the issue. The issue is...(*Interruptions*)...

SHRI DIPEN GHOSH (West Bengal): There are Members of the other House who have written to the Prime Minister demanding the removal of that contaminated Minister of State in the Union Government.

THE DEPUTY CHAIRMAN: Now, I have to find out. (*Interruptions*)...

SHRI M. A. BABY): Madam, I am winding up. Now, I understand that this particular... (*Interruptions*)...

THE DEPUTY CHAIRMAN: I will find out. (*Interruptions*)... Just a minute. I will find out. (*Interruptions*)... I say, "Please sit down." When I am speaking, let me speak. I want to find out whether 'contamination' is unparliamentary or not. (*Interruptions*)... Now please sit down. (*Interruptions*)...

SHRI V. NARAYANASAMY: Earlier they were attacking Mr. Seshan. Now want to find out whether ' contamina- officers...(*Interruptions*)...

THE DEPUTY CHAIRMAN: He has used it against an officer. (*Interruptions*)...

SHRI M. A. BABY: Madam, this is a very serious...

THE DEPUTY CHAIRMAN: Just a minute, Mh. Baby. (*Interruptions*)...

SHRI M. A. BABY: Madam, this is a very serious constitutional crisis. There are efforts to contaminate the Constitution. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Please, just a minute. The question was that I wanting to know whether 'contaminated'

is used by someone outside the House, I have no objection to that. But if it is used in the House, I want to know whether the word 'contaminated' used against a person is parliamentary or unparliamentary. Now, I know it is parliamentary. So, it is all right. (*Interruptions*)...

SHRI VISHVJIT P. SINGH: The House is contaminated by the Santosh Mohan Deb virus.

SHRI M. A. BABY: While concluding I would like to state that we understand that this particular so-called contaminated Minister has even threatened in a Cabinet meeting, "You can choose between me and the C.P.M.." (*Interruptions*)...

SHRI S. S. AHLUWALIA: Madam, I want to remind him.. (*Interruptions*)...

SHRI M. A. BABY: Madam, therefore...(*Interruptions*)...

SHRI S. S. AHLUWALIA: Madam, I want to remind that when Mr. T. N. Seshan announced repoll in Ballygunge the C.P.M. said, "The Chief Election Commissioner is becoming a * ." They have said * . They have used these words. (*Interruptions*)...

THE DEPUTY CHAIRMAN: I am not allowing. (*Interruptions*)... That will not go on record. (*Interruptions*).. Now you finish.

SHRI M. A. BABY: With these interventions, Madam, I am not in a position to conclude. (*Interruptions*)...

SHRI V. NARAYANASAMY: Mr. Jaipal Reddy is sitting here. Earlier Janata Dal was attacking Mr. Seshan. Now you have become...(*Interruptions*)...

SHRI S. JAIPAL REDDY (Andhra Pradesh): No, no. (*Interruptions*)...

THE DEPUTY CHAIRMAN: I am not allowing. (*Interruptions*)...

*Expunged as ordered by the Chair.

SHRI TRILOKINATH CHATURVEDI (Uttar Pradesh): This remark must also be deleted.

THE DEPUTY CHAIRMAN: I am deleting it.

SHRI M. A. BABY: This is the centre of democracy. One of the pillars of democracy is free and fair functioning of the electrol process. (*Interruptions*)... Madam, one of the pillars of democracy is free and fair election process. Now, there is a systematic effort by a constitutional authority, namely a Minister of State in the Central Government, to subvert the constitutional and democratic process. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Now you have taken enough time. Please take your seat.

SHRI M. A. BABY: Madam, this is a very serious matter. If a Central Minister himself is engaging in the process of subverting democracy, subverting constitutional process...(*Interruptions*)...

THE DEPUTY CHAIRMAN: That matter is over now. (*Interruptions*)... Mr. Baby, that matter is over now. (*Interruptions*)...

SHRI M. A. BABY: This is a very serious matter. Therefore, that particular Minister should be requested to relieve himself from the responsibility of being in the Council of Ministers at the Centre. This is my demand. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Now that matter is over. (*Interruptions*)... Please, Mr. Baby. (*Interruptions*)...

SHRI DIPEN GHOSH: Madam, I have another point. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Now, there is no discussion. (*Interruptions*)... I am sorry, there is no discussion. (*Interruptions*)... Mr. Narayanasamy, please sit down. (*Interruptions*)... I am not allowing. (*Interruptions*)...

I am not allowing anything. (*Interruptions*) . . .

SHRI DIPEN GHOSH: The Home Minister and Leader of the House has committed that he would make a statement on the floor of the House. We are entitled to seek clarifications as in the case of other statements. Obviously, in that case, when Mrs. Margaret Alva, the Minister of State in the Ministry of Home Affairs to the extent of pensions, public grievances, etc.,—I don't know under which department Tripura comes, whether Pensions, Public Grievances, etc., . . . (*Interruptions*) . . .

THE DEPUTY CHAIRMAN: You don't go into it. (*Interruptions*) . .

SHRI DIPEN GHOSH: She should not have intervened while Mr. Baby was speaking. At least, the Minister should have some courtesy. (Interruptions).

SMT. MARGARET ALVA: I will tell you why I intervened. I said that if you are going to discuss the report of the Election Commission then we must have a full discussion and the Minister must have the right of reply. (*Interruptions*).

SHRI DIPEN GHOSH: Madam, the Chief Election Commissioner. . . (*Interruptions*).

SMT. MARGARET ALVA: It cannot be one-sided. If it is a full discussion, the Minister has the right of reply. (*Interruptions*).

THE DEPUTY CHAIRMAN: Now, you are doing the same thing. Don't interrupt. (*Interruptions*).

SMT. MARGARET ALVA: It cannot be one-sided that only you quote a report and do not have a reply. (*Interruptions*). That is all he said. He says, there must be a right of reply.

SHRI M. A. BABY: Madam, the State Government is a superannuated and super corrupt Government. Its term is over. It is a superannuated Government. It is a super corrupt Government. It should not be allowed to continue. (*Interruptions*).

THE DEPUTY CHAIRMAN: Mr. Baby, now you have made your special mention. The Minister is here. If he wants to say something, he should give it in writing and we will permit him. (*Interruptions*).

SHRI SUKOMAL SEN (West Bengal): We want to hear the Home Minister first. (*Interruptions*). Let the Home Minister speak first. (*Interruptions*).

SHRI M. A. BABY: We want to hear the Home Minister. (*Interruptions*).

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOSH MOHAN DEV): Madam, my name has been mentioned... *Interruptions*).

THE DEPUTY CHAIRMAN: What is your objection now? Please sit down. (*Interruptions*). I say, please sit down (*Interruptions*). Take your seat Please take your seat. (*Interruptions*) I am not permitting. Please take your seat. Please sit down. (*Interruptions*). Mr. Salim, go back to your seat. You go back to your seat. Please go back to your seat.

SHRI MD. SALIM: The Home Minister should reply. (*Interruptions*).

THE DEPUTY CHAIRMAN: If you think that I am handling the House, you please sit down. Let me handle it. You have made an allegation against the Minister. There is a procedure that he has the right to make a personal explanation which I am giving him. (*Interruptions*).

SHRI DIPEN GHOSH: Madam. . .

SHRI MD. SALIM: Madam . (*Interruptions*).

THE DEPUTY CHAIRMAN: Please go back. I am not permitting. Please go back to your seat. (*Interruptions*).

श्री राम नरेश यादव (उत्तर प्रदेश) : जिस तरह की राजनीति इसमें लाई जा रही है वह अच्छी बात नहीं है ... (व्यवधान) मंत्री जी को भी सुनने नहीं दे रहे ... (व्यवधान)

SHRI MD. SALIM: The Home Minister should reply. (*Interruptions*)..The Home Minister should take the responsibility. (*Interruptions*).

THE DEPUTY CHAIRMAN: I am not permitting. Go back to your seat. This is not proper. (*Interruptions*)..Don't speak to me like this. I am not permitting (*Interruptions*). Nothing is going on record.

SHRI MD. SALIM:*

SHRI SUKOMAL SEN:*

SHRI M. A. BABY:*

THE DEPUTY CHAIRMAN: I am not permitting. (*Interruptions*). Don't argue with me. Nothing is going on record. (*Interruptions*).

SHRI JAGESH DESAI: All allegations must be expunged from the record... (*Interruptions*).

THE DEPUTY CHAIRMAN: I will permit you. Let them go back... (*Interruptions*). Please, just a minute... (*Interruptions*). Those who are talking about democracy, they are ransoming the democracy in Parliament and coming in the well... (*Interruptions*). Please go back.

SHRI DIPEN GHOSH:*

THE DEPUTY CHAIRMAN: It is not going on record... (*Interruptions*).

SHRI YASHWANT SINHA: I am on a point of order... (*Interruptions*).

SHRI S. JAIPAL REDDY: Madam, we have our own profound and multifarious reservations about the conduct and record of the Chief Election Commissioner. But even he felt obliged to indict many officials including a Minister of State in the Union Cabinet. That Minister of State has no right to remain a Minister. This was the point that was ought to be made by our colleagues. And there is a need for the Leader of the House to r spond to this. It is not for the Minister concerned, who is now in the dock, to rise and defend himself... (*Interruptions*).

THE DEPUTY CHAIRMAN: Now, will you please sit down? (*Interruptions*).

SHRI BHUBANESWAR KALITA (Assam): He has a right to reply.... (*Interruptions*).

THE DEPUTY CHAIRMAN: I will handle it, please... (*Interruptions*).

SHRI V. NARAYANASAMY: Any allegation should be expunged... (*Interruptions*).

SHRI YASHWANT SINHA: I am on a point of order... (*Interruptions*).

THE DEPUTY CHAIRMAN: Just a minute. I will permit you... (*Interruptions*). When a leader of a party is addressing the Chair, I can handle it because I know what the rules are. If everybody gets up in the House, it becomes a free-for-all and we cannot run this House this way. Now, when an allegation was made against a Minister... (*Interruptions*). Just a minute, Mr. Baby, please... (*Interruptions*) I will allow you. When you mentioned in your special mention the name of Mr. Santosh Mohan Deb that he is being alleged to have done something, it is his inherent right, according to the Rules of Procedure, he should have the right to answer. Mr. Dipen Ghosh said that he has no right to be a Minister. As long as he is a Minister, he has a right for a personal explanation. Just now he is a minister... (*Interruptions*).

SHRI DIPEN GHOSH: I said that an allegation has been made by the Chief Election Commmissioner..

THE DEPUTY CHAIRMAN: Whoever made it... (*Interruptions*).

* Not recorded.

SHRI DIPEN GHOSH: He has ordered enquiry into that charge and that enquiry report was given by the Chief Electoral Officer, Tripura. He has rejected it. The Chief Election Commissioner has rejected that order.

THE DEPUTY CHAIRMAN: Mr. Dipen Ghosh, please...(*Interruptions*).

SHRI DIPEN GHOSH: Let him first of all reply before the Enquiry Commission constituted by the Chief Election Commissioner.

THE DEPUTY CHAIRMAN: Please take your seat...(*Interruptions*). I will permit....(*Interruptions*). Please, Mr. Baby....(*Interruptions*). Please, Mr. Jagesh Desai. Whatever be the charges that are made outside, the House runs independently and I will run this House according to our rules and not according to the rules of any other Commission or any other Government. Whatever the rules are, according to our Rules of Procedure, if an allegation was made on the floor of the House against any Minister or any Member, I will give permission to make a personal explanation.

THE DEPUTY CHAIRMAN: It is his right...(*Interruptions*)...It is his right...(*Interruptions*). I am not concerned with any outside enquiry. Whatever has happened in this House, within the precincts of Parliament, I am concerned with this only.

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश) : मैडम, इस विषय में एक संवैधानिक स्थिति पैदा हो गई है। चुनाव आयोग एक स्वतंत्र निकाय है जिसका सुप्रीम कोर्ट से मुकाबला किया जा सकता है । उसने एक निणय दिया है इंक्वायरी के बाद उन्होंने (**व्यवधान**) चुनाव आयोग ने यह भी निर्णय दिया बताया है कि जो अधिकारी पुलिस के या आयोग के थे, उनके खिलाफ कार्यवाही की जाए । आयोग सीधे रूप से मंत्री के संबंध में कोई निर्णय नहीं दे सकता। आवश्यकता इस बात की है और मैं चाहूंगा कि मंत्री महोदय स्वयं अथवा प्रधान मंत्री या उनकी ओर से कोई भी कहे, क्या चुनाव आयोग ने इसका रेफ्रेंस प्रधान मंत्री को किया है या नहीं किया है ? यदि उन्होंने रेफ्रेंस किया है तो उस पर सरकार की प्रतिक्रिया क्या है? यदि मोहन देव जी निर्दोष हैं और मैं नहीं जानता कि निर्दोष हैं या नहीं हैं, मैं तो जो अखबार में पढ़ा है आयोग का उसका कह रहा हूं (**व्यवधान**) मैंने कहा है कि मैं इसमें अपना कोई फतवा नहीं दे रहा हूं। मैं तो चुनाव आयोग की बात कह रहा हूं । इसलिए यह प्रश्न सामान्य नहीं है चुनाव चल रहा था । आज की सरकार एक विशेष स्थिति में है । असेंबली स्वयं स्थापित हो गई थी । चीफ मिनिस्टर ने उसको डिजाल्व करने का आदेश दिया नहीं । फिर वह..(**व्यवधान**) इसलिये जहां तक सरकार बनी है वह भी और जहां तक हमारे केन्द्र के मंत्रिमंडल के सदस्य हैं एक ऐसी संवैधानिक स्थिति पैदा हुई जो कि सरल नहीं है, कठिन है। इसलिये हम तो यह चाहेंगे कि प्रधान मंत्री महोदय अथवा उनकी तरफ से कोई प्राधिकृत व्यक्ति सारी बात को स्पष्ट करे । मोहन देव जी को पूरा अधिकार है कि वह अपनी स्थिति को स्पष्ट करें । लेकिन उनके स्पष्ट करने मात्र से स्थिति साफ नहीं होगी । क्योंकि यदि वह यह मान लें कि मैंने दोष किया है तो वह स्वयं ही इस्तीफा दे दें । लेकिन स्वभाविक है, उनका यह कहना होगा कि मैंने ऐसा नहीं किया । तो स्थिति यह है कि अदालत के रूप में चुनाव आयोग यह कहता है कि दोषी हैं और यह कहते हैं कि मैं दोषी हूं । तो निर्णय कौन करेगा ? क्या यह अदालत के सामने जायेगा या इस पर प्रधान मंत्री कार्यवाही करेंगे ? यह सारी स्थिति स्पष्ट होनी चाहिये और मैं मानता हूं यदि मोहन देव जी, शायद निर्दोष कहिये, मोहन देव जी अपने आपको दोषी नहीं मानते हैं, लेकिन फिर भी मारेल आवश्यकता यह है कि वह त्याग-पत्र दे दें।

SHRI YASHWANT SINHA: Madam, I am on a point of order. I am just trying to facilitate the procedure. The rule is very clear. This is rule 241. Rule 241 of our rules is in regard to personal explanation and that rule is very clear. It is not for the first time that a Minister is called upon or a Member is called upon to make a personal explanation. Once that personal explanation is made, it is not a matter of debate. This is what is written in this rule. The issues which have been raised in this House are, to my mind two-fold. One is in regard to what should happen in Tripura, whether that Government should continue, what has happened so far. This, to my mind Madam Deputy Chairman, is a matter which legitimately should be tackled by the Home Minister and the Home Minister has already assured the House that he will be coming before the House with a statement. Then there are certain allegations of a personal nature against an hon. Minister of State who is sitting in this House. As far as those allegations are concerned, I personally feel that under this rule 241, he has certainly a right, after taking your permission, to make a statement in regard to those personal allegations. It is for his benefit also. I would like to draw his attention to the fact that there is no question before the Council. But in this case, no debatable matter shall be brought forward. There is also a warning to him that he will not enter into any contentious issues, that he will confine himself merely to the allegations which haev been raised. Now this, to my mind, is the clear procedure and I think we should follow that procedure.... *(Interruptions)*...

PROF. SAURIN BHATTACHARYA (West Bengal): Madam, I am on a point of order.

THE DEPUTY CHAIRMAN: What is your point of order?... *(Interruptions)*.

PROF. SAURIN BHATTACHARYA: Madam, so far as the question of personal explanation is concerned, I am in perfect agreement with you that if an allegation is made against a Member or a Minister, he is entitled to make a personal explanation. But, in this particular case, my submission is that Mr. Baby did not make any allegation against the Minister, but he only quoted from the reports by the Election Commission the allegation contained in the orders made by the Election Commission. Therefore, if the Minister concerned has to make any submission, he will have to go to the Election Commission and not come to this house... *(Interruptions)*. He has to go to the Election Commission only because the Election Commission cannot take into account the conduct of the Minister who made certain comments regarding tht ... *(Interruptions)*. Therefore, in this House no substantive allegation has been made against the Minister by the Member making the Special Mention, that is, Mr. Baby and; so, there is no question of any personal explanation by the Minister. This is my point order... *(Interruptions)* ..

SHRI JAGESH DESAI (Maharashtra): Madam, please allow me a minute... *(Interruptions)*...

THE DEPUTY CHAIRMAN: Just a minute, Mr. Baby mentioned about something which was against him—that is what he was saying—and it was that the Election Commission had made some allegations against the Minister. By the mere fact that those allegations have been reported on the floor of the House, the Minister has a right to answer *(Interruptions)*...

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): Correct... *(Interruptions)*...

THE DEPUTY CHAIRMAN: If it had not been mentioned on the floor of the House, I am not going to be concerned about it. Since it was mentioned on the floor of the House, I will give him the right to repiy... *(Interruptions)*...

SHRI JAGESH DESAI: Madam, please allow me... *(Interruptions)*...

THE DEPUTY CHAIRMAN: He is going to give his personal explanation... (*Interruptions*)...and I will remind the Members that while the Minister is making his personal explanation... (*Interruptions*)...when the Minister makes his personal explanation, I will not permit any comments or any debate on his personal explanation and it is within that parameter that I am allowing him. I am not allowing any more discussion. Mr. Santosh Mohan Dev, if you like, you can make a personal explanation... (*Interruptions*)...You see, Mr. Santosh Mohan Dev's name was raised here and I am allowing him... (*Interruptions*)...

SHRI JAGESH DESAI: Madam, may I make a submission?... (*Interruptions*)...Within the scope of this, when an allegation is made, the Minister has a right to make his personal explanation. Mr. K. K. Tewari's speech is there. There were some kind of remarks on Mr. K. K. Tewari in the judgment of the High Court and Mr. Tewari was allowed to make a personal explanation in the House. So, if Mr. Santosh Mohan Dev so desires, he has a right to make his personal explanation... (*Interruptions*)...

THE DEPUTY CHAIRMAN: All right. Now, Mr. Santosh Mohan Dev... (*Interruptions*)...

SHRI SANTOSH MOHAN DEV: Madam,... (*Interruptions*)...

SHRI MD. SALIM: Madam, I have to mention one point. There are two points involved... (*Interruptions*)...

SHRI ASHIS SEN (West Bengal): Madam,... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Salim, you have many more mentions from your seat and from the front seat also... (*Interruptions*)...

SHRI MD. SALIM: Madam, in the light of what Mr. Yashwant Sinha and Prof. Saurin Bhattacharya have said, there are two points involved in this... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Once I have given my ruling, you cannot challenge it... (*Interruptions*)...So, please take your seat... (*Interruptions*)...

SHRI MD. SALIM: I am not challenging. Please listen, Madam,... (*Interruptions*)...

THE DEPUTY CHAIRMAN: I won't listen to you regarding that... (*Interruptions*)...

SHRI BHUBANESWAR KALITA: Whatever interpretation has to be made has been made by the Chair. That is all... (*Interruptions*)...

THE DEPUTY CHAIRMAN: I have permitted the Minister to answer. Let him do that... (*Interruptions*)...

SHRI MD. SALIM: There are two points, Madam,... (*Interruptions*)...

THE DEPUTY CHAIRMAN: No point is involved. As long as his name was mentioned on the floor of the House, he has a right to speak. That is the only limit.

SHRI M. A. BABY: Madam, I have a submission to make. You alleged that we are challenging you. We will never challenge you. That may be withdrawn. We will never challenge you... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Thank you very much... (*Interruptions*)...

SHRI MD. SALIM: My point is... (*Interruptions*)...Please listen, Madam... (*Interruptions*)...Please listen to what I am saying... (*Interruptions*)...Madam, in the light of the points made by Mr. Yashwant Sinha and Prof. Saurin Bhattacharya, two points are involved... (*Interruptions*)...Madam, I am the baby of the House...

THE DEPUTY CHAIRMAN: Listen, Mr. Salim. You may be the baby of the House...

SHRI MD. SALIM: Madam, the Prime Minister and the House Minister should

come to the House and they should make it clear as to what the Government's opinion is on this allegation.

THE DEPUTY CHAIRMAN: That has nothing to do with his personal explanation.

SHRI M. A. BABY: Madam, since the Minister is going to speak, for his benefit, I would like to ask...

THE DEPUTY CHAIRMAN: No, no.

SHRI M. A. BABY: He can reply together. (*Interruptions*) I just want to know whether the hon. Minister and the hon. Minister Alvaji, both of them had visited the Chieff Election Commissions in connectoin with what is happening in Tripura. (*Interruptions*)

THE DEPUTY CHAIRMAN: No, no. I am not allowing anything.

SHRI M. A. BABY: That may also be explained to us. (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr Salim, you may be the baby of the House. But sometimes you must take the cue from the real Babys. Let the Minister answer

RE. PERSONAL EXPLANATION BY SHRI SANTOSH MOHAN DEV

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOSH MOHAN DEV): Madam, I never thought that in the House I would have to discuss about certain matters concerning the Chief Election Commissioner of India. As far as my knowledge about parliamentary democracy goes, the matter pertaining to the Election Commissioner and his various orders normally are not discussed on the floor of the House. Since you have allowed some Special Mention and in the course of the Special Mention the order of the Chief Election Commissioner has been made an issue in this House, with a heavy heart I have to bring before this House certain facts without meaning anything to the office of the Chief Election Commissioner of India. I want to repeat that my intention to raise certain points in those orders is not to in any way show disrespect to the Chief Election Commissioner of India or personally to Mr Seshan. And with these words, I would like to place certain things and facts before the House. And I will honestly request the hon. Members who have raised it that they give me the chance to lay these before the House. And I am happy that they have raised the issue and it gives me a golden opportunity to place it before this House because this is an issue on which the whole nation is rather agitated. There were so many editorials in news-

Madam, in my hand, I have got a report on the basis of which the Chief Election Commissioner of India has said that this report is not acceptable to him. I do not want to read this 6-page report. I will read only the conclusion of the report, and I do not know whether I am going beyond the rules and other things. If anything comes aainst me for mentioning the report of the Election Commissioner, I will seek our protection as you have asked me and given me the chance...

SHRI P. UPENDRA (Andhra Pradesh): If he quotes, he has to lay it on the Table.

SHRI YASHWANT SINHA: If you quote, then you will have to lay it on the Table of the House. (*Interruptions*)

SHRI SONTOSH MOHAN DEV: I will sign it and lay it on the Table of the House. I will also expect the hon. Members who have quoted previously that they will also sign it and lay it on the Table. There should not be different standards for both of us.

Madam, the conclusion of Mr Arya—

> "From the statement given by the complainant Shri Dasarth Dev, cross verification with the concerned officers, it is clear the allegatoin of holding secret meetings with the Returning Officers of SDOs of Dharmanagar, Kailashahar, Kamalpur, Chunamura, Belonia Sabrak and also with police officers of this Sub Division seems to be absolutely false..."

I repeat, absolutely false—"and based